

MINUTES

284th Meeting Contractors' Registration and Licensing Board September 11, 2013

The meeting began with the pledge of allegiance to the flag of the United States of America led by J. L. Brillion, Contractor member of the Board and a moment of silence in recognition of September 11th.

(A) The meeting was called to order by the Acting Chairman, Arthur Salisbury, at 12:37 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. William Nash and seconded by Mr. Eric Wishart.

(C) The minutes of the 283rd meeting were approved; on a motion by Mr. David Caldwell and seconded by Mr. William Geddes.

(D) Court Case Update: September 2013

Cases were briefly presented by Ariele Yaffee from the Attorney Generals Office and will be reflected next month on a combined report.

(E) Review of Pending Issues with the Building Officials Association:

1.) The Building Officials were represented at this meeting by Brad Ward. One issue of concern was the affidavit issued to building officials doesn't indicate the requirement that if a person owns property and builds on it they must occupy the building for a year before selling it; otherwise they are required to be registered. New codes have been established and books are currently available.

(F) Consideration of Cases on Appeal and Oral Argument: The Vice-Chairman, Edgar Ladouceur arrived and took over as chair.

APPEALS and MOTIONS:

1. 12:40 PM: Claim #7995 Brien vs. Rafal Construction, LLC., Rafal Iwaniec, Registration #27702, Exceptions filed by the Respondent. This matter was heard by the Board. Both parties were in attendance and legal counsel for the Respondent, Gerard DeCelles, presented the exceptions to the Board. After reviewing the documentation and the details in the file, and asking several questions to the parties, a motion was made by Tom Furey and seconded by J.L. Brillion and David Caldwell to uphold the decision rendered by the hearing officer. The motion carried unanimously and the Final Order will be issued accordingly.

EXPUNGEMENTS:

1. 1:00 PM: Expungement request for Registration #17620, C.B. Tile, INC., Christian Barr, 3365#1 and Claim #7103. Contractor presented case before the Board and answered questions. A motion was made by Tom Furey and seconded by Paul Brunetti to expunge the violation #3365 #1. After more discussion, the motion was called by Vice Chairman Edgar Ladouceur and carried unanimously. A second motion was made by Robert Cardoza and seconded by J. L. Brillion to deny the request to expunge claim #7103. The motion was called and on a roll call vote taken, the motion to deny passed 7 to 6 with Martin Ezeama, Tom Furey, Eric Wishart, Michael Fox, Arthur Salisbury and William Geddes voting against the motion.

2. 1:10 PM: Request from James Lacerna, Adell Construction LLC, Registration #22709, for expungement of violation #7561 Insurance. After waiting for awhile the contractor showed and the Board heard the request for expungement. The contractor presented his case and asked the Board to remove this violation. After several questions and responses a motion was made by William Nash and seconded by Ron Caniglia to deny this request: another roll call vote was taken and the motion carried 10 to 3 with J.L. Brillion, Martin Ezeama and Arthur Salisbury voting against the motion.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 09/11/2013

Registrations:

Number of Registered Contractors 11268

**Number of Cards Surrendered 6270 Number of Cards
Expired/Lapsed 17343 Number of Cards Invalidated 1242
Number of Cards Suspended 501**

Number of Cards Revoked 107

Registration Actions

8/14/2013-09/11/2013

Number of New Registered Contractors 86

Number of Renewed Contractors 11182

Number of Cards Surrendered 36

Registrations Invalidated 0

Registrations Suspended 4

Registrations Revoked 0

Claims:

Administrative Appeals 8

Board Appeals 1

Address Traces 73

Awaiting Further Action	29	
	Court	
587		
Disposed		6588
Final Orders	40	
Hearings	30	
Out of State Services	19	Proposed Orders 127
Under Investigation		94
Total Claims Filed with the Board	7668	
Number of New Claims Processed	22	

8/14/2013-09/11/2013

Violations:

Action Against Registration	35	
Advertising	4	
Cancelled Insurance		1342
Notice of Hearing	3	
Non-Registered Contractor		
884		
TOTAL RECORDS	2295	

Number of New Violations 104

8/14/2013-09/11/2013

Lapsed Registrations/Never Re-Newed:

September 2012

95

October 2012

66

November 2012

58

December 2012

66

January 2013

41

February 2013

37

March 2013

84

April 2013

126

May 2013

108

June	2013
100	
July	2013
96	
August	2013
98	
September	2013
181	

Month	# Tickets Issued
Fines	

January 2013	4
\$1,200.00	
February 2013	3
\$ 525.00	
March 2013	0
\$.00	
April 2013	13
\$3,800.00	
May 2013	10
\$2,900.00	
June 2013	7
\$2,000.00	

July 2013	5
\$1,950.00	
August 2013	5
\$2,750.00	
September 2013	8
\$6,745.00	

Commercial Roofers:

Number of Registered Roofers

143

Number of New Registered Contractors	0	
Number of Renewed Roofer Contractors	143	
Number of Cards Surrendered	21	
Number of Expired/Lapsed	61 Registrations Invalidated	1
Registrations Suspended	0	
Registrations Revoked	0	

(H) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee,

report of committees and progress. The Boards attorney has been working with the executive director to get the regulations formulated for the committee to review and it was decided that each month we will spend some time reviewing the changes and try to have a

completed package ready for public hearing. Process is ongoing and working on rules and regulations for Home Inspectors, Commercial Roofers, and Well & Pump Installers.

(I) New Business:

(1.) Budget: Continued work on 2014 & 2015 Budget with fiscal office.

**(2.) Computer Program Update on Progress (DBR), CAVU;
Board**

**has been proceeding but just received figures to complete
process with**

**necessary corrections to get programs up and running.
Costs provided by**

**CAVU well exceeded the budget and has brought this matter
to a halt.**

**Matter is currently under review as to how to proceed with
management
and IT.**

**(3) Positions: The Board still waiting for the position of Sr. State
Building**

**Official to be filled by the Director of Administration.
Additionally;**

**waiting on position for enforcement aide or other similar
position.**

(4.) Legislation; Preparing for any new items that need to be

**submitted for next
session.**

(5.) Request for Proposal: Staff of the Board developed a new RFP to seek

testing companies to provide the RICRLB with an avenue to test Home

Inspectors, Commercial Roofers and Well Drillers. This has been processed and will be put forth on September 13, 2013.

(6.) Education: May have a presentation available for the October meeting.

(7.) Prosecution of Cases: Matter was continued until next month.

(8.) Web Site: Discussed need to put more information on site regarding new

programs on the web page to keep the public and contractors abreast to the

new licensing requirements.

(9.) Board members who will be part of the new sub-committees:

Home Inspectors: Arthur Salisbury, Paul Brunetti, Robert Cardoza,

David Caldwell and Bill Nash.

Commercial Roofers: Steve Carlino, J.L. Brillion, and Tom Furey.

Well Drillers/Pump Installers: Dave Caldwell, Ron Caniglia and Eric

Wishart.

Meetings will be starting the end of the month.

(10.) Board Member Appointments: Eight Members of the Board terms lapsed

on September 1, 2013. They are: David Caldwell, Steve Carlino, Eric

Wishart, Arthur Salisbury, Martin Ezeama, Bill Nash, Ron Caniglia, and

William Geddes.

(J) Public Comment: None

(K) Announcements: The next Board meeting is scheduled for Wednesday

October 09, 2013 at 12:30 PM Conference Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode Island.

(L) Adjournment: A motion was made by Mr. David Caldwell and seconded by Mr.

Arthur Salisbury, to adjourn at 2:40 PM.

Members Present: Arthur Salisbury, Eric Wishart, David Caldwell, William

Geddes, Tom Furey, William

Nash, Robert Cardoza, Edgar

Ladouceur, Ronald Caniglia,

Paul Brunetti, Michael Fox,

J.L.Brillion and Martin

Ezeama.

Members Absent: Felix Carlone and Steve

Carlino.

**Others Present: George Whalen (Executive Director), Ariele
Yaffee (Attorney**

**Generals Office, legal counsel),
stenographer, staff, parties for
expungements and staff.**

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board